

1. To Defendant (*name*):
2. YOU ARE ORDERED to appear in this court at the date, time, and place shown in the box below to give any legal reason why the order sought and the other relief requested in the petition should not be granted.

a. Date:	Time:	Dept.:	Room:
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- Date: \_\_\_\_\_
- \_\_\_\_\_  
JUDGE OF THE SUPERIOR COURT
- ☐ SIGNATURE FOLLOWS LAST ATTACHMENT

PLAINTIFF (Name):	CASE NUMBER:
DEFENDANT (Name):	

## INSTRUCTIONS FOR THE DEFENDANT

- A. If you are served with an *Order to Show Cause (Workplace Violence)* **[OSC]** (form WV-120) and a *Petition of Employer for Injunction Prohibiting Violence or Threats of Violence Against Employee* **[Petition]** (form WV-100), you should promptly seek legal advice. If you have no attorney, the attorney's reference service of your local bar association may be of assistance.
- B. Read the papers served on you very carefully. The **OSC** tells you when to appear in court and may contain a temporary restraining order forbidding you from doing certain things. **If you disobey the court's orders, criminal charges may be filed against you.**
- C. If you wish to oppose the **Petition**, or make your own request for court orders, you should file a *Response to Petition of Employer for Injunction Prohibiting Violence or Threats of Violence Against Employee* **[Response]** (form WV-110).

In addition to the **Response**, you may file and serve declarations signed by persons who have personal knowledge of the facts. A declaration form (form MC-031) is available from the clerk's office of the court shown on page one of this form. If you do not know how to prepare a declaration, you should see an attorney. After you have filed the **Response** with the clerk of the court, a copy must be delivered personally or by mail to the plaintiff or the plaintiff's attorney.

You cannot serve the plaintiff yourself. The person who serves the plaintiff should complete and sign a *Proof of Service of Completed Response (Workplace Violence)* (form WV-131). You should take the completed form back to the court clerk or bring it with you to the hearing.

- D. If you wish to oppose the petition, in addition to filing a **Response** you should be present at the hearing. If you have any witnesses, they must also be present.
- E. A complete instruction booklet entitled *Instructions for Petitions to Prohibit Workplace Violence* (form WV-150) is available from the clerk's office at the court shown on page one of this form.

(Continued on page three)

PLAINTIFF (Name): _____  DEFENDANT (Name): _____	CASE NUMBER: _____
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### TEMPORARY RESTRAINING ORDER

**Violation of this order is a misdemeanor, punishable by a \$1,000 fine, one year in jail, or both, or may be punishable as a felony. This order shall be enforced by all law enforcement officers in the State of California. Any person subject to a restraining order is prohibited from obtaining or purchasing or attempting to obtain or purchase a firearm by Penal Code section 12021. Such conduct may be a felony and punishable by a \$1,000 fine and imprisonment.**

#### THE COURT FINDS

5. a. The defendant is (name):

Sex: ☐ M ☐ F Ht.: \_\_\_\_\_ Wt.: \_\_\_\_\_ Hair color: \_\_\_\_\_ Eye color: \_\_\_\_\_ Race: \_\_\_\_\_ Age: \_\_\_\_\_ Date of birth: \_\_\_\_\_

- b. The protected employee is (name):

- c. Protected family or household members who reside with employee are:

(1) (Name):

Sex: ☐ M ☐ F Date of birth: \_\_\_\_\_

(2) (Name):

Sex: ☐ M ☐ F Date of birth: \_\_\_\_\_

(3) (Name):

Sex: ☐ M ☐ F Date of birth: \_\_\_\_\_

☐ Continued on Attachment 5c.

#### UNTIL THE TIME OF HEARING, IT IS ORDERED

6. **Defendant** is prohibited from further violence or threats of violence against protected person.

**and SPECIFICALLY IT IS ORDERED THAT DEFENDANT**

- a. ☐ shall not assault, batter, or stalk the employee and other protected persons
- b. ☐ shall not follow or stalk the employee and other protected persons to or from the place of work
- c. ☐ shall not follow the employee and other protected persons during hours of employment
- d. ☐ shall not telephone or send correspondence to the employee and other protected persons by **any** means including, but not limited to, the use of the public or private mails, interoffice mail, fax, or computer e-mail
- e. ☐ shall not enter the workplace of the employee and other protected persons
- f. ☐ other (specify): \_\_\_\_\_

7. ☐ Defendant is ordered to stay at least (specify): \_\_\_\_\_ yards away from the following persons and places  
 (the addresses of the places are optional and may be kept confidential):
- a. ☐ Employee and other protected persons (names): \_\_\_\_\_
  - b. ☐ Residence of employee and other protected persons (address optional): \_\_\_\_\_
  - c. ☐ Place of work of employee and other protected persons (address optional): \_\_\_\_\_

(Continued on reverse)

PLAINTIFF (Name):	CASE NUMBER:
DEFENDANT (Name):	

7. (Continued)

d. ☐ School or place of child care of children of employee and other protected persons (address optional):

e. ☐ Other (specify):  
(address optional):

8. ☐ Contacts relating to pickup and delivery of children pursuant to a court order or a court approved stipulation of the parties arrived at during mediation shall be permitted, unless a criminal domestic protective or restraining order prohibits such contacts.

9. ☐ OTHER ORDERS (specify):

10. ☐ Application for an order shortening time is granted and the following documents shall be personally served on the defendant no less than (specify number): days before the time set for hearing:

- Order to Show Cause and Temporary Restraining Order (CLETS) (Workplace Violence) (form WV-120)
- Petition of Employer for Injunction Against Violence or Threats of Violence Against Employee (Workplace Violence) (WV-100)
- blank Response to Petition of Employer for Injunction Prohibiting Violence or Threats of Violence Against Employee (Workplace Violence) (WV-110)
- blank Proof of Service of Completed Response (form WV-131)
- other (specify):

11. By the close of business on the date of this order, a copy of this order and any proof of service shall be given to the law enforcement agencies listed below as follows:

- ☐ Plaintiff shall deliver.
- ☐ Plaintiff's attorney shall deliver.

Law enforcement agency

Address

**THIS ORDER IS EFFECTIVE WHEN MADE. THE LAW ENFORCEMENT AGENCY SHALL ENFORCE THE ORDER IMMEDIATELY UPON RECEIPT. IT IS ENFORCEABLE ANYWHERE IN CALIFORNIA BY ANY LAW ENFORCEMENT AGENCY THAT HAS RECEIVED THE ORDER OR IS SHOWN A COPY OF THE ORDER. IF PROOF OF SERVICE ON THE RESTRAINED PERSON HAS NOT BEEN RECEIVED, THE LAW ENFORCEMENT AGENCY SHALL ADVISE THE RESTRAINED PERSON OF THE TERMS OF THE ORDER AND THEN SHALL ENFORCE IT.**

Date:

JUDGE OF THE SUPERIOR COURT

☐ SIGNATURE FOLLOWS LAST ATTACHMENT